

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Gerard A. Burgos, Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, hereinafter referred to as ATF, being duly sworn, depose and state as follows:

AGENT BACKGROUND AND INTRODUCTION

1. I am a Task Force Agent with the Bureau of Alcohol Tobacco, Firearms & Explosives (ATF) in Hato Rey, Puerto Rico, and have been so for the past eleven (11) years. Prior to becoming a Task Force Agent, I worked for thirteen (13) years as an Officer with the Ponce Municipality Police. I am currently assigned to the ATF Violent Crime Group. As part of the Violent Crimes Group, I conduct investigations of violent gangs, firearms and narcotics violations. I have specialized training and/or experience in the area of high-level drug enforcement, street-level drug enforcement, narcotics smuggling and distribution, gangs, undercover operations, surveillance and debriefing informants and suspects.
2. During my employment with the ATF, I participated in weapons and narcotics investigations with senior, experienced SAs and Task Force Officers (TFOs). These investigations included interviewing defendants, witnesses, and informants, conducting surveillance, assisting with court-ordered wiretaps, and executing search warrants. Through my training, experience, and interaction with senior SAs, TFOs, and other investigators, I have participated in cases involving the trafficking of firearms, the use and possession of firearms by persons prohibited by law, and the possession of illegal firearms.
3. In addition, I have had conversations and worked alongside other experienced local, state, and federal law enforcement officers, as well as state and federal prosecuting attorneys concerning violations of firearms and narcotics laws.
4. The details and information stated herein are based on my training, experience and personal knowledge and compilation of facts and events investigated by me and other Law Enforcement Officers such as agents from the Puerto Rico Police Bureau, who investigated and confirmed their veracity or oversaw their developments. I have drafted this affidavit to the limited purpose of establishing probable cause that VICTOR M. RODRIGUEZ-LOPEZ violated the Title 18 U.S.C. § 922(o)- unlawful possession of a machinegun, Title 18 U.S.C. § 924(c)(1)(A)(i)-possession of a firearm in furtherance of a drug trafficking crime, 18 U.S.C. §924(c)(1)(B)(ii) – Possession of a Machine Gun in Furtherance of a Drug Trafficking Crime and Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C)

Possession with intent to distribute detectable amounts of cocaine. Therefore, I have not included all the facts of this investigation.

FACTS IN SUPPORT OF PROBABLE CAUSE

5. On March 13, 2025, agents of the Puerto Rico Police Bureau (PRPB) assigned to the San Juan Intelligence Unit executed a state-issued search warrant for an apartment located on San Miguel Street, at La Perla Ward in the municipality of San Juan, more specifically, a three-story, blue-painted building on the second floor at the front of the street.
6. At approximately 5:30 a.m., PRPB agents assigned to the Special Arrest unit announced their presence and made a forced entry into the apartment. The agents located one individual inside the apartment, who was later identified as Víctor M. Rodríguez-López. For security reasons, he was detained. The agent then presented him with the search warrant and explained its purpose. A PRPB agent assigned to the Technical Services unit then took photographs of the apartment before beginning the execution of the search warrant.
7. Subsequently, a K-9 trained to detect firearms was called to verify the apartment and alerted inside the second room to the right, at a sofa-bed. Subsequently, a drug-trained K-9 was requested to inspect the apartment and alert in the kitchen, on the kitchen counter, and in the second room to the right, where RODRIGUEZ-LOPEZ was found sleeping.
8. At approximately 6:17 a.m., a PRPB Agent commenced the execution of the search warrant. The agent began the search in the living room and then proceeded to the bathroom, finding no illegal substances. In the kitchen area, the agent discovered a plastic tackle box containing the following items:
 - Thirty (30) small plastic baggies containing a white powdery substance that field tested positive to cocaine
 - One (1) small plastic baggie containing a green leafy substance that field tested positive to marijuana
 - Three (3) blue pills
 - One (1) grey in color iPhone cellular phone
9. Consequently, at that moment the PRPB Agent proceeded to place RODRIGUEZ-LOPEZ under arrest and verbally recited his Miranda Warnings.

10. The search continued to the second bedroom to the right. At that bedroom, where RODRIGUEZ-LOPEZ was arrested the agent found inside the closet on a slat:

- Four Hundred Ninety-Two (\$492.00) US Dollars
- One (1) Orbic cellphone, black in color
- One (1) iPhone white and grey in color cellular phone

11. On another slat inside the closet of the second bedroom, the PRPB agent found:

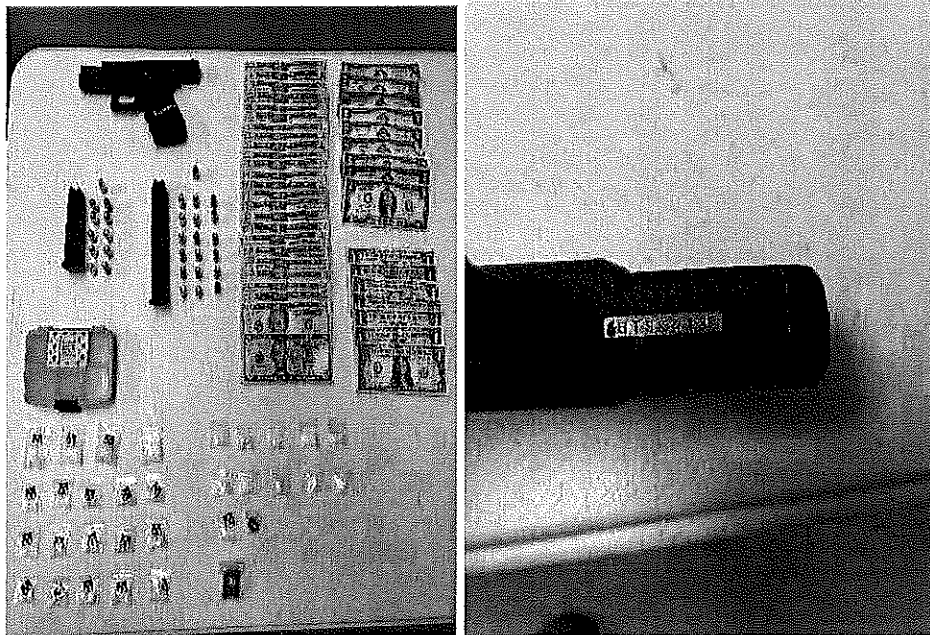
- One (1) thirteen (13) rounds capacity Glock pistol magazine, containing eleven (11) rounds of .40 caliber ammunition

12. When the agent continued the search inside RODRIGUEZ-LOPEZ's bedroom (second bedroom), he freely and voluntarily informed the agent that a pistol was inside the pillowcase. The agent proceeded to retrieve the pistol and found:

- One Glock pistol, model 23, .40 caliber bearing serial number: BTSK418 loaded with one (1) round inside the chamber and eighteen (18) rounds of .40 caliber ammunition inside a pistol magazine for twenty-two (22) rounds capacity of .40 caliber ammunition.

13. At the first room to the right, the agent found:

- Nine (9) bills of two (2) US dollars for a total of eighteen dollars (\$18.00)





14. Based on Your Affiant's training and experience and knowledge of the ATF's investigation, the quantity of suspected cocaine seized is distribution quantity for sale.
15. During the afternoon of March 13, 2025, PRPB Agent conducted field tests on the above referenced suspected narcotic. The field tests yielded positive results for the properties of cocaine and marijuana.
16. A preliminary field test examination of the firearm Glock pistol, model 23, caliber .40, serial number BTSK418 without ammunitions, indicated that this firearm can fire more than a single round of ammunition per single function of the trigger, which would meet the legal definition of a machine gun.
17. Based on my training, knowledge and experience with ATF, the device on the Glock was not installed by the manufacturer and was placed on the firearm with the sole purpose of illegally modifying it to fire fully automatic, meaning that is capable of expelling more than one (1) projectile from one single pull of the trigger. The conversion device can be readily observed by anyone who loads, unloads, charges, cleans, or disassembles the firearm because there is a contrast between the device and the slide of the firearm.
18. The investigation further revealed that no ammunition, including the ones seized, are manufactured in the Commonwealth of Puerto Rico and therefore, the investigation concluded this firearm was shipped or transported in interstate or foreign commerce.
19. Based on the above facts, the undersigned affiant believes there is probable cause to charge VICTOR M. RODRIGUEZ-LOPEZ with violating the Federal Firearms law, to wit:

violated the Title 18 U.S.C. § 922(o)- unlawful possession of a machinegun ,Title 18 U.S.C. § 924(c)(1)(A)(i)-possession of a firearm in furtherance of a drug trafficking crime, 18 U.S.C. §924(c)(1)(B)(ii) – Possession of a Machine Gun in Furtherance of a Drug Trafficking Crime and Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C) Possession with intent to distribute detectable amounts of cocaine.

20. I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

~~SWORN AND SUBSCRIBED~~ pursuant to FRCP 4.1 at _____ by telephone this 14th day
~~of March 2025, in San Juan, Puerto Rico.~~

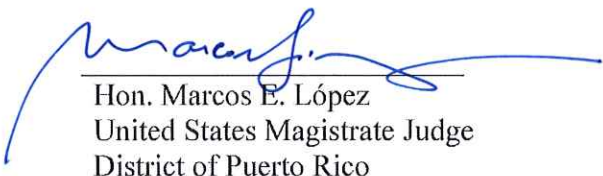


GERARD BURGOS-CRUZ
(Affiliate)

Digitally signed by GERARD BURGOS-
CRUZ (Affiliate)
Date: 2025.03.14 10:19:51 -04'00'

Gerard A. Burgos
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn pursuant to FRCP 4.1 by phone at 11:26 AM on March 14, 2025, in San Juan, PR.



Hon. Marcos E. López
United States Magistrate Judge
District of Puerto Rico